

MELODY A. KRAMER, SBN 169984
KRAMER LAW OFFICE, INC.
9930 Mesa Rim Road, Suite 1600
San Diego, California 92121
Telephone (858) 362-3150
mak@kramerlawip.com

J. MICHAEL KALER, SBN 158296
KALER LAW OFFICES
9930 Mesa Rim Road, Suite 200
San Diego, California 92121
Telephone (858) 362-3151
michael@kalerlaw.com

Attorneys for Plaintiff JENS ERIK SORENSEN,
as Trustee of SORENSEN RESEARCH AND
DEVELOPMENT TRUST

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

JENS ERIK SORENSEN, as Trustee of)	Case No. 07cv02278 BTM CAB
SORENSEN RESEARCH AND)	
DEVELOPMENT TRUST,)	REPLY TO COUNTERCLAIMS OF
)	HELEN OF TROY TEXAS
Plaintiff)	CORPORATION AND OXO
v.)	INTERNATIONAL LTD
)	
HELEN OF TROY TEXAS)	
CORPORATION; OXO)	
INTERNATIONAL LTD.;)	
and DOES 1 – 100,)	
)	
Defendants.)	
)	
and related counterclaims.)	
)	

1 Plaintiff/Counterdefendant Jens Erik Sorensen as Trustee of Sorensen
2 Research and Development Trust ("SRDT"), hereby respectfully replies to the
3 specific numbered paragraphs identified of the Counterclaims of
4 Defendants/Counterclaimants Helen of Troy Texas Corporation and Oxo
5 International LTD. (collectively, "Defendants") as follows.

6 It is unclear whether the current stay of this case (Docket # 26) postpones
7 SRDT's deadline for replying, in an abundance of caution, this Reply is being filed.

8
9 The Parties

- 10 1. Upon current information and belief, admit.
11 2. Upon current information and belief, admit.
12 3. Admit.

13 Jurisdiction and Venue

- 14 4. Admit.
15 5. Admit.

16 Count I

- 17 6. Deny.
18 7. Deny.

19 Count II

- 20
21 12. Deny.
22 13. Deny.

23
24 **WHEREFORE**, SRDT prays that judgment on Defendants be entered as
25 follows:

- 26 a. For judgment in favor of SRDT and against Defendants on all requested
27 relief;
28 b. That this case be decreed an "exceptional case" and SRDT is awarded

1 reasonable attorneys' fees by the Court pursuant to 35 U.S.C. § 285;

2 c. For costs of suit herein incurred;

3 d. For such other and further relief as the Court may deem just and proper.

4
5 DATED this Thursday, May 08, 2008.

6 JENS ERIK SORENSEN, as Trustee of
7 SORENSEN RESEARCH AND DEVELOPMENT
8 TRUST, Plaintiff

9 /s/ Melody A. Kramer

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Melody A. Kramer, Esq.

11 J. Michael Kaler

12 Attorney for Plaintiff
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PROOF OF SERVICE

I, Melody A. Kramer, declare: I am and was at the time of this service working within in the County of San Diego, California. I am over the age of 18 year and not a party to the within action. My business address is the Kramer Law Office, Inc., 9930 Mesa Rim Road, Suite 1600, San Diego, California, 92121.

On Thursday, May 08, 2008, I served the following documents:

**REPLY TO COUNTERCLAIMS OF HELEN OF TROY TEXAS CORPORATION
AND OXO INTERNATIONAL LTD**

PERSON(S) SERVED	PARTY(IES) SERVED	METHOD OF SERVICE
Erik B. Von Ziepel Seyfarth Shaw LLP 2029 Century Park East, Suite 3300 Los Angeles, CA 90067 evonzeipel@seyfarth.com	Helen of Troy Texas Corporation; Oxo International Ltd.	Email--Pleadings Filed with the Court via CM/ECF

- ☐ (Personal Service) I caused to be personally served in a sealed envelope hand-delivered to the office of counsel during regular business hours.
- ☐ (Federal Express) I deposited or caused to be deposited today with Federal Express in a sealed envelope containing a true copy of the foregoing documents with fees fully prepaid addressed to the above noted addressee for overnight delivery.
- ☐ (Facsimile) I caused a true copy of the foregoing documents to be transmitted by facsimile machine to the above noted addressees. The facsimile transmissions were reported as complete and without error.
- ☐ (Email) I emailed a true copy of the foregoing documents to an email address represented to be the correct email address for the above noted addressee.
- ☒ (Email--Pleadings Filed with the Court) Pursuant to Local Rules, I electronically filed this document via the CM/ECF system for the United States District Court for the Southern District of California.
- ☐ (U.S. Mail) I mailed a true copy of the foregoing documents to a mail address represented to be the correct mail address for the above noted addressee.

1 I declare that the foregoing is true and correct, and that this declaration was executed on
2 Thursday, May 08, 2008, in San Diego, California.

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4 /s/ Melody A. Kramer

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Melody A. Kramer
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